

Message Text

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ACTION SS-25

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SPECAT EXCLUSIVE FOR SECDEF

E.O. 11652 XGDS-1

TAGS: PARM

SUBJECT: "AGREED STATEMENTS" FOR SALT AGREEMENT
(SALT TWO-920)

REF: STATE 043342

1. IT SHOULD BE EVIDENT FROM THE WORK AND RECOMMENDATIONS OF THE DELEGATION THUS FAR THAT IT ENTIRELY CONCURS THAT THERE SHOULD BE AS FORMAL AND BINDING A RECORD AS POSSIBLE ON ALL SUBSTANTIVE ISSUES RELATED TO THE NEW AGREEMENT BUT NOT ACTUALLY INCORPORATED THEREIN. THE DELEGATION HAS CONSISTENTLY PRESSED THIS VIEW ON THE SOVIET DELEGATION, WHICH NOW IN VARYING DEGREES IS WILLING TO APPLY THE PRINCIPLE TO SPECIFIC QUESTION.

2. IT IS NOT POSSIBLE TO DRAW AN ABSOLUTE DISTINCTION BETWEEN "AGREED STATEMENTS" AND "COMMON UNDERSTANDINGS." HOWEVER, IN GENERAL, OUR APPROACH HAS BEEN TO INSIST ON "AGREED STATEMENTS" (TO BE INITIALED BY CHIEFS OF DELEGATION) ON ALL MATTERS WHERE, IN OUR VIEW, IT IS NECESSARY TO EXPAND THE SUBSTANCE AND/OR TO GIVE ADDED PRECISION TO LANGUAGE USED IN TEXT OF AGREEMENT, E.G. "SIGNIFICANT INCREASE" IN PARA TWO, ARTICLE
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VII, "MEANS INCREASE OF 15 PERCENT OR MORE," OR "NORMAL DE-

PLOYMENT REQUIREMENTS" IN PARA FIVE, ARTICLE IV, MEANS "ONE MISSILE AT EACH ICBM LAUNCHER." THUS THE "AGREED STATEMENT" APPROACH IN SOME CASES PROVIDES AN ACCEPTABLE WAY TO DEAL WITH THE STRONG SOVIET RESISTANCE TO INCLUDING NUMERICAL REFERENCE TO MILITARY MATTERS IN THE TEXT OF THE AGREEMENT ITSELF. WHILE IN SOME CASES THERE IS NOT YET FULL AGREEMENT ON THE EXACT WORDING, THUS FAR SUBSTANTIAL AGREEMENT HAS BEEN REACHED ON SOME SEVEN "AGREED STATEMENTS" INVOLVING MATTERS IN ARTICLES II, IV, VII, AND IX AND XVI.

3. WE HAVE USED THE "COMMON UNDERSTANDING" FORMULA FOR MATTERS WHICH ONLY INVOLVE AN INTERPRETATION OR CLARIFICATION (AS OPPOSED TO ADDITIVE SUBSTANTIVE CONTENT) OF A PROVISION IN THE AGREEMENT. EXAMPLES ARE THE INTERPRETATION THAT "TESTING" AS USED IN PARA ONE OF ARTICLE VII INCLUDES RESEARCH AND DEVELOPMENT, AND THAT PARA "B" OF ARTICLE IX DOES NOT AFFECT CURRENT PRACTICES OF EITHER SIDE FOR TRANSPORTING BALLISTIC MISSILES. THUS FAR THERE HAS BEEN AGREEMENT TO USE THE "COMMON UNDERSTANDING" FORMULA IN ONLY FOUR CASES. AGREEMENT HAS BEEN REACHED THAT WHERE THIS FORMULA IS USED IT WILL BE ACCOMPLISHED BY FORMALLY READING INTO THE RECORD AND EXCHANGING THE TEXTS OF PREVIOUSLY AGREED FULLY COMPLEMENTARY STATEMENTS.

4. WHILE OUR VOLUMINOUS NEGOTIATING RECORD MAY AT TIMES IN THE FUTURE BE PERTINENT TO A FULL UNDERSTANDING OF THE MEANING THE PARTIES ATTACH TO VARIOUS PROVISIONS OF THE AGREEMENT, AND WE ALWAYS HAVE IN MIND THE IMPORTANCE OF THIS RECORD BEING AS FULL AND ACCURATE AS POSSIBLE, WE ENTIRELY AGREE THAT WE SHOULD SEEK TO AVOID SITUATIONS IN WHICH "COMMON INTERPRETATIONS" MUST BE DERIVED BY EXTRACTING UNILATERAL STATEMENTS FROM THE NEGOTIATING RECORD. JOHNSON

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